



**October 2020**

## **Victorian government extends landlord-funded relief for commercial tenants**

The Victorian government detailed amendments to extend its landlord-funded rental relief scheme for commercial tenants by three months, as part of its *COVID-19 Omnibus (Emergency Measures) (Commercial Leases and Licences) Miscellaneous Amendments Regulations 2020*.

The regulations were originally to expire on 29 September 2020, but have been extended to 31 December 2020. This means new rent relief agreements may be reached after 29 September, and means tenants may apply to have existing rent relief agreements revised.

For landlords, it means offering rent relief from the date requested until 31 December, and prevents landlords from requesting payments for any deferred relief until 31 December.

[This update from ShineWing Australia](#) suggests the amendments will impose significant extra costs on landlords. There is potential for land tax relief for eligible landlords, though this is unlikely to cover a landlord's rent relief costs.

The Victorian small business commission has been given significant powers for directing landlords to provide relief. A detailed dispute resolution process is embedded in the regulations, and mediation remains available to landlords and tenants.

Rent relief must be at least proportional to the tenant's decline in rental turnover – if rent is charged including outgoings then any relief must also apply to the total amount including outgoings.

Tenants are required to provide information and evidence regarding the decline in turnover, in addition to the existing rent relief requirements.

[A copy of the Victorian government's amendments is available here](#)

